

**DaUNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

IN RE PORK ANTITRUST
LITIGATION

Civil No. 18-1776 (JRT/JFD)

This Document Relates to:

ALL CONSUMER INDIRECT
PURCHASER ACTIONS

**DECLARATION OF DANIEL C.
HEDLUND IN SUPPORT OF
PLAINTIFFS' MOTION FOR AN
AWARD OF ATTORNEYS' FEES
AND LITIGATION EXPENSES
SUBMITTED ON BEHALF OF
GUSTAFSON GLUEK PLLC**

I, Daniel C. Hedlund, hereby declare and state as follows:

1. I am a member of Gustafson Gluek PLLC ("Gustafson Gluek"). I submit this declaration in support of Plaintiffs' Motion for an award of attorneys' fees and expenses in connection with the services rendered, and costs and expenses incurred, in the above-captioned action (the "Action"). I make this declaration based on my personal knowledge and if called as a witness, I could and would competently testify to the matters stated herein.

2. My firm and I serve as Co-Lead Counsel in this matter for the Consumer Indirect Purchaser Plaintiffs.

3. Attached hereto as **Exhibit 1** is my firm's total hours and lodestar, computed at current rates, for the period from July 1, 2021 through December 31, 2022. The total number of hours spent by my firm during this time period was 13,865.00 with a

corresponding current lodestar of \$6,286,230.00.¹ In addition, exhibit one summarizes my firm's time and lodestar from inception through December 31, 2022. The hours spent during my firm during this period was 17,807.50 and the corresponding lodestar is \$8,236,805.50. This summary was prepared from contemporaneous, daily time records regularly prepared and maintained by the firm. The lodestar amount reflected in **Exhibit 1** is for work performed by professional staff at my law firm for the benefit of the Class/Plaintiffs during the aforementioned time period. In preparing this time we followed the protocol we helped draft as Co-Lead counsel for time keeping and assignments and have audited my time to comply with that protocol. In connection with representing Plaintiffs in the Action, and in coordination with our Co-Lead Counsel, my firm did the following:

- Draft and negotiate the third-party productions of data from retailers and others in the consumer distribution chain to obtain evidence of pass-through;
- Consult with economic experts to assess market structure, liability evidence, market data and pass-through evidence;
- Work with economic experts to draft reports in support of class certification, including defending experts in their deposition;
- Brief class certification and Daubert motions, including work with experts and class representatives, in support of same;
- Draft and file various complaints including the Fourth Amended Complaint;

¹ Such time does not include any time expended in completing this declaration.

- Prepare for and represent Consumer Indirect Class at hearings before the Court;
- Review and analyze, in conjunction with other plaintiff groups, hundreds of thousands of Defendants' documents;
- Review and analyze Defendants' privilege logs and meet and confer with Defendants as needed regarding deficiencies in same;
- Prepare for and conduct numerous depositions of Defendants and third-parties;
- Participate in numerous depositions of direct action plaintiffs to obtain pass-through testimony;
- Regularly update class representatives regarding the case;
- Work extensively with the class representatives to respond to Defendants' requests for production of documents and interrogatories;
- Review and produce thousands of pages of plaintiff documents in response to Defendants' discovery requests, as well as, draft and supplement objections and responses to Defendants' discovery requests;
- Prepare for and defend the depositions of the 29 class representatives;
- Assign, manage and supervise co-counsel in executing work on behalf of the class, including plaintiff document collection, review, and deposition preparation among other tasks;
- Attend meetings with lead counsel for the Direct Purchasers and Commercial Purchasers to organize assignments and avoid duplication among the classes;

- Assist in drafting the Smithfield settlement agreement and preliminary approval motion;
- Oversee and direct the work performed by non-lead firms; and
- Manage and supervise the reporting of time and expenses by all counsel representing the Consumer Indirect Class.

The hourly rates for the attorneys and professional staff in my firm reflected in Exhibit A are the usual and customary hourly rates charged by my firm in similar complex litigation matters.

4. My firm has expended a total of \$7,995.55 in unreimbursed costs and expenses in connection with the prosecution of the Action from July 1, 2021 through and including December 31, 2022. These costs and expenses are set forth in the chart attached as **Exhibit 2** and reflected on the books and records of my firm. They were incurred on behalf of Plaintiffs by my firm and have not been reimbursed. These costs do not include contributions made to the case litigation fund.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on January 24, 2023 in Minneapolis, Minnesota.

s/ Daniel C. Hedlund
Daniel C. Hedlund

EXHIBIT 1**GUSTAFSON GLUEK PLLC**

Reported Hours and Lodestar
Inception through December 31, 2022

Timekeeper	Professional Status	Hours	Rates	Total Lodestar
Daniel E. Gustafson	P	76.20	\$1,100	\$ 83,820.00
Daniel E. Gustafson	P	12.40	\$1,200	\$ 14,880.00
Karla M. Gluek	P	0.80	\$975	\$ 780.00
Dennis J. Stewart	P	61.00	\$1,200	\$ 73,200.00
Jason S. Kilene	P	50.00	\$925	\$ 46,250.00
Jason S. Kilene	P	56.70	\$950	\$ 53,865.00
Daniel C. Hedlund	P	246.50	\$925	\$ 228,012.50
Daniel C. Hedlund	P	442.90	\$1,025	\$ 453,972.50
Amanda M. Williams	P	4.30	\$725	\$ 3,117.50
David A. Goodwin	P	30.70	\$675	\$ 20,722.50
Michelle J. Looby	P	766.30	\$675	\$ 517,252.50
Michelle J. Looby	P	591.20	\$900	\$ 532,080.00
Joshua J. Rissman	P	75.20	\$600	\$ 45,120.00
Joshua J. Rissman	P	901.80	\$800	\$ 721,440.00
Daniel J. Nordin	P	61.50	\$775	\$ 47,662.50
Kaitlyn L. Dennis	A	0.20	\$500	\$ 100.00
Kaitlyn L. Dennis	A	19.40	\$650	\$ 12,610.00
Ling S. Wang	A	17.00	\$425	\$ 7,225.00
Ling S. Wang	A	240.90	\$550	\$ 132,495.00
Brittany N. Resch	A	642.00	\$500	\$ 321,000.00
Brittany N. Resch	A	116.00	\$600	\$ 69,600.00
Mickey L. Stevens	A	123.30	\$450	\$ 55,485.00
Mickey L. Stevens	A	181.30	\$575	\$ 104,247.50
Mickey L. Stevens	A	56.30	\$350	\$ 19,705.00
Noah L. Cozad	A	41.40	\$350	\$ 14,490.00
Tony J. Stauber	A	4.20	\$500	\$ 2,100.00
Tony J. Stauber	A	156.80	\$350	\$ 54,880.00
Abou Amara	A	1186.40	\$500	\$ 593,200.00
Abou Amara	A	133.40	\$350	\$ 46,690.00
Frances Mahoney Mosedale	A	8.40	\$275	\$ 2,310.00
Kathryn M. McDonald	A	5.20	\$540	\$ 2,808.00
Ellison A. Snider	LC	1.80	\$200	\$ 360.00
Ellison A. Snider	LC	44.00	\$225	\$ 9,900.00
Peter H. Nguyen	CA	386.00	\$350	\$ 135,100.00
Peter H. Nguyen	CA	2881.00	\$350	\$ 1,008,350.00
Mark L. Goldman	CA	29.00	\$350	\$ 10,150.00
Deborah M. Gilman	CA	354.80	\$350	\$ 124,180.00
Deborah M. Gilman	CA	2577.40	\$350	\$ 902,090.00
Eric M. Laidlaw	CA	5.50	\$350	\$ 1,925.00
Eric M. Laidlaw	CA	2661.00	\$350	\$ 931,350.00
Shirley J. Menard	CA	466.80	\$350	\$ 163,380.00
Shirley J. Menard	CA	1022.00	\$350	\$ 357,700.00
Diana Arnold	CA	412.50	\$350	\$ 144,375.00
Sarah A. Moen	PL	1.50	\$225	\$ 337.50
Diana Jakubauskiene	PL	1.00	\$200	\$ 200.00

Diana Jakubauskiene	PL	159.10	\$325	\$	51,707.50
Melanie L. Morgan	PL	260.40	\$175	\$	45,570.00
Melanie L. Morgan	PL	217.80	\$300	\$	65,340.00
Jamie L. Holzer	PL	4.60	\$200	\$	920.00
Chelsea M. Noble	PL	1.50	\$150	\$	225.00
Chelsea M. Noble	PL	10.10	\$250	\$	2,525.00
Grand Total		17807.50		\$	8,236,805.50

GUSTAFSON GLUEK PLLC

Reported Hours and Lodestar
July 1, 2021 through December 31, 2022

Timekeeper	Professional Status	Hours	Rates	Total Loderstar
Daniel E. Gustafson	P	12.40	\$1,200	\$ 14,880.00
Dennis J. Stewart	P	61.00	\$1,200	\$ 73,200.00
Jason S. Kilene	P	56.70	\$950	\$ 53,865.00
Daniel C. Hedlund	P	442.90	\$1,025	\$ 453,972.50
Michelle J. Looby	P	591.20	\$900	\$ 532,080.00
Joshua J. Rissman	P	901.80	\$800	\$ 721,440.00
Daniel J. Nordin	P	61.50	\$775	\$ 47,662.50
Kaitlyn L. Dennis	A	19.40	\$650	\$ 12,610.00
Ling S. Wang	A	240.90	\$550	\$ 132,495.00
Brittany N. Resch	A	116.00	\$600	\$ 69,600.00
Mickey L. Stevens	A	181.30	\$575	\$ 104,247.50
Mickey L. Stevens	A	56.30	\$350	\$ 19,705.00
Noah L. Cozad	A	41.40	\$350	\$ 14,490.00
Tony J. Stauber	A	4.20	\$500	\$ 2,100.00
Tony J. Stauber	A	156.80	\$350	\$ 54,880.00
Abou Amara	A	1186.40	\$500	\$ 593,200.00
Abou Amara	A	133.40	\$350	\$ 46,690.00
Ellison A. Snider	LC	44.00	\$225	\$ 9,900.00
Peter H. Nguyen	CA	2881.00	\$350	\$ 1,008,350.00
Mark L. Goldman	CA	29.00	\$350	\$ 10,150.00
Deborah M. Gilman	CA	2577.40	\$350	\$ 902,090.00
Eric M. Laidlaw	CA	2661.00	\$350	\$ 931,350.00
Shirley J. Menard	CA	1022.00	\$350	\$ 357,700.00
Diana Jakubauskiene	PL	159.10	\$325	\$ 51,707.50
Melanie L. Morgan	PL	217.80	\$300	\$ 65,340.00
Chelsea M. Noble	PL	10.10	\$250	\$ 2,525.00
Grand Total		13865.00		\$ 6,286,230.00

Exhibit 2**GUSTAFSON GLUEK PLLC****Expenses Incurred**

July 1, 2021 through December 31, 2022

Expense Category	Amount Incurred
Electronic Research (Lexis/Westlaw/PACER)	\$2,462.11
Court Costs – Filing Fees	\$173.15
Express Delivery (Fedex) /Messengers	\$1,705.43
Photocopies – In House	\$1,245.70
Photocopies - Outside	\$38.07
Postage	\$8.16
Service of Process Fees	\$0.00
Telephone / Fax	\$0.00
Transportation / Meals / Lodging	\$0.00
Experts/Consultant Fees	\$0.00
Court Reporter Service/Hearing Transcript Fees	\$405.43
Miscellaneous - IT Outside	\$1,957.50
TOTAL EXPENSES	\$7,995.55